THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 17433 of 2005

WEDNESDAY, THE TENTH DAY OF AUGUST
TWO THOUSAND AND FIVE

Between:

Sarswathi Binni Rice Mill rep. by its Managing Partner Burle Pulla Rao S/o.Ramulu R/o.Peda Thanda Khammam, Rural Khammam.

..... PETITIONER

AND

1. The A.P.Northern Power Distribution Co.Ltd., Rep by its Superintending Engineer, Operation, Khammam.
2 The A.P.Northern Power Distribution Co.Ltd., rep. by its Divisional Engineer, Khanapuram Haveli, Khammam.
3 The A.P.Northern Power Distribution Co.Ltd., rep by its Asst.Divisional Engineer, Rural East, Khammam.
4 The A.P.Northern Power Distribution Co.Ltd., rep by its Asst. Accounts Officer, Guttala Bazar, Khammam.

.....RESPONDENTS

The Court, at the stage of admission, made the following:

:Oral Order:

By an order dated 28-02-2001, the petitioner was informed (through an assessment notice) that the electricity meter in respect of the petitioner's service connection No. 1526 of Category III at

Yedularapuram, Khammam Rural was defective and the petitioner is required to pay Rs.1,80,565-00 to the Divisional Engineer/Operation, within 15 days of the receipt of the notice. The petitioner filed a consumer dispute No.58 of 2001 before the District Consumer Forum, Khammam against the said order. By the order dated 16-11-2004, the District Consumer Forum rejected the dispute on the ground that it had no jurisdiction. During the pendency of the Consumer dispute, the petitioner also preferred an appeal to the 1st respondent on 01-01-2002. After the rejection of the Consumer dispute by the forum, the petitioner also filed a civil suit in O.S.No. 306 of 2004 before the learned Senior Civil Judge, Khammam, and withdrew the same on 02-08-2005 and has now filed the writ petition against the assessment notice/order dated 28-02-2001. The petitioner's service connection is stated to have been disconnected on 11-05-2005 during the pendency of the appeal before the 1st respondent and without it being disposed of. That is the substantive grievance in the writ petition.

Having regard to the facts and circumstances of the case and multiple fora that the petitioner has by now approached, for what he states is lack of legal knowledge, this court does not propose to adjudicate upon the validity of the assessment/order dated 28-02-2001. However, now that the civil suit has been withdrawn on 02-08-2005, there is no impediment to the 1st respondent to dispose of the appeal.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the appeal preferred by the petitioner on 01-01-2002 expeditiously and preferably within a period of four weeks from the date of receipt of a copy of this order. The petitioner is at liberty to file an application before the 1st respondent for interim relief and on such application being filed, the 1st respondent shall consider and dispose of such application expeditiously, preferably within a period of one week from the date of preferring such application. No costs.

GODA RAGHURAM, J

Dated: 10-08-2005

Pvks/*